

**REMARKS**

Reconsideration of the above-identified application is respectfully requested. The Examiner rejected claims 2-5 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Arai et al. (5,287,135), in view of Mizumo et al. (6,334,030). The Examiner took the position that Arai et al. discloses a camera body 10, an optical portion 20 that pivots to pop-up open position, an optical lens 25 included in the optical portion 20. The mechanism referred to by the Examiner is a flash mechanism and the lens included in that flash mechanism is not an optical lens for taking a picture. Moreover, when in the pop-up position, the Arai et al. mechanism is disposed at an angle which is 90° to the light axis of the lens and a direction parallel to a surface of the camera body.

Claim 7 has been amended to clearly recite that the lens is an optical lens for taking a picture which is not the case in Arai et al. and that the angle of disposition of the lens when in a forward leaning posture is less than 90°. This is also not the case in Arai et al.

In addition, the specification has been amended in a manner which does not add new matter. Page 6 of the specification has been amended to state that the lens 6 is an optical object lens for taking a picture. It is believed that Fig. 2, as understood by one of ordinary skill in the art, would recognize that the lens 6 in the camera shown there is an optical lens for taking a picture.

The addition of Mizumo et al. in the reference set out by the Examiner does not add anything to the deficiencies noted in the basic reference to Arai et al.

It is also pointed out that claim 2 which specifies that the camera-body portion is held in a forward leaning posture when a picture taking condition is not met by the combination of Arai et al. and Mizumo et al. Moreover, claim 3 which recites the presence of a strobe and sound-collecting microphone are not found in the combination of Arai et al. and Mizumo et al.

In addition, the limitations of claims 4 and 5 are also not found in any combination of Arai et al. and Mizumo et al.

**CONCLUSION**


It is requested that the present amendment be entered as the claims are in better condition for appeal.

Accordingly, in view of the above amendments and remarks, favorable reconsideration and allowance of the application are respectfully requested.

Enclosed is our check in the amount of \$1,810.00 the requisite amount for an RCE and the extension fee, please charge or credit any fees associated with this matter to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By   
Leonard J. Santisi  
Reg. No. 24,135  
(858) 731-5000